

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 165 be amended to read as follows:

- 1 Page 2, line 24, delete "one (1) of the following:" and insert "**a**
- 2 **governing body.**".
- 3 Page 2, delete lines 25 through 29.
- 4 Page 4, delete lines 12 through 18.
- 5 Page 4, line 19, delete "5." and insert "**4.**".
- 6 Page 4, line 26, delete "6." and insert "**5.**".
- 7 Page 4, line 30, delete "7." and insert "**6.**".
- 8 Page 4, line 34, delete "8." and insert "**7.**".
- 9 Page 5, line 4, delete "9." and insert "**8.**".
- 10 Page 5, between lines 8 and 9, begin a new paragraph and insert:
- 11 "**Sec. 9. (a) This section applies if:**
- 12 **(1) a governing body rejects a proposal; and**
- 13 **(2) at least one-third (1/3) of the members of the governing**
- 14 **body favor the proposal.**
- 15 **(b) The organizer may appeal the decision of the governing body**
- 16 **to the charter school review panel established by subsection (c).**
- 17 **(c) The charter school review panel is established. The members**
- 18 **of the panel are the state superintendent of public instruction and**
- 19 **two (2) members of the board who are appointed by the state**
- 20 **superintendent of public instruction.**
- 21 **(d) Upon the request of an organizer, the panel shall meet to**
- 22 **consider the organizer's proposal and the governing body's reasons**
- 23 **for rejecting the proposal. The panel must allow the organizer and**
- 24 **governing body to participate in the meeting.**
- 25 **(e) After the panel meets under subsection (d), the panel shall**
- 26 **make one (1) of the following three (3) findings and issue the**
- 27 **finding to the organizer and the governing body:**
- 28 **(1) A finding that supports the governing body's rejection of**
- 29 **the proposal.**
- 30 **(2) A finding that directs the governing body to approve the**
- 31 **proposal.**

1           **(3) A finding that:**

2               **(A) recommends that the organizer amend the proposal;**  
 3               **and**

4               **(B) specifies the changes to be made in the proposal if the**  
 5               **organizer elects to amend the proposal.**

6           **The panel shall issue the finding not later than forty-five (45) days**  
 7           **after the panel receives the request for review.**

8           **(f) If the panel makes a finding described in subsection (e)(1) or**  
 9           **(e)(2), the finding is binding and final.**

10          **(g) If:**

11               **(1) the panel makes a finding described in subsection (e)(3);**  
 12               **and**

13               **(2) the organizer submits to the governing body an amended**  
 14               **proposal that contains the changes specified in the finding of**  
 15               **the panel;**

16           **the governing body shall consider the amended proposal not later**  
 17           **than forty-five (45) days after the governing body receives the**  
 18           **amended proposal. If the governing body rejects the amended**  
 19           **proposal, the organizer may appeal the rejection in the same**  
 20           **manner that an initial proposal is appealed under this section."**

21           Page 10, delete line 42.

22           Page 11, delete lines 1 through 7.

23           Page 11, line 8, delete "6. (a)" and insert "5."

24           Page 11, delete lines 12 through 17.

25           Page 11, line 18, delete "7." and insert "6."

26           Page 11, line 23, delete "8." and insert "7."

(Reference is to SB 165 as printed January 23, 2001.)

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Senator ROGERS